

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Jerry Lee Peete,

Civil No. 06-1602 (DWF/FLN)

Petitioner,

v.

**ORDER**

Warden R. L. Morrison,

Respondent.

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Jerry Lee Peete, *Pro Se*, Petitioner.

W. Anders Folk, Assistant United States Attorney, United States Attorney's Office, counsel for Respondent.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 14, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that to the extent Petitioner seeks an order that the Bureau of Prisons reconsider the length of time Petitioner should be assigned to an RRC pursuant to the factors set forth in 18 U.S.C. § 3621(b), the petition is **GRANTED**. *See*

*Fults v. Sanders*, 442 F.3d 1088, 1190 (8th Cir. 2006). To the extent that Petitioner seeks an immediate assignment to an RRC, the petition is **DENIED**.

Dated: September 12, 2006

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court